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DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 6/24/2021

U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 24, 2021

BY ECF

The Honorable Stewart D. Aaron
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Application GRANTED. SO ORDERED.

Dated: June 24, 2021

RE: *United States v. Juan Ramirez* 98 Cr. 438 (PGG) (SDA)

Dear Judge Aaron:


On April 30, 2021, the Court issued an order directing the Government to provide additional information regarding the trial record in connection with Count Three of the indictment.¹ See Dkt. 442. The Court further ordered the Government to “brief the evidence submitted to the jury in connection with Count Three.” The deadline for the Government’s response was June 30, 2021.

¹ Following the defendant’s conviction at trial, on April 22, 2002, Judge Carter sentenced the defendant to life imprisonment on Counts One, Two, Four, Five, Fifteen, and Sixteen; twenty years’ on Counts Eight through Fourteen; and ten years’ on Counts Nineteen and Twenty-Five, all of which sentences were imposed as concurrent sentences. Judge Carter also imposed five years’ imprisonment on Count Twenty-One to run consecutive to these sentences, and twenty years’ imprisonment on each of Counts Twenty-Two and Twenty-Three to run consecutive to each other and to all of the other sentences. The defendant’s petition seeks to vacate only Counts Twenty-One, Twenty-Two, and Twenty-Three. In other words, the defendant currently faces a sentence of life imprisonment with a consecutive term of forty-five years imprisonment and through his petition seeks to vacate only the final consecutive forty-five years of imprisonment. As a result, even should the defendant’s relief be granted, the defendant will still face a term of life imprisonment.

The Government has obtained a copy of the trial transcript in this matter, which transcript is attached as exhibits to this letter. The Government, however, requests additional time to review the transcript and to brief the evidence submitted in support of Count Three. Accordingly, the Government requests an additional 14 days (until July 14, 2021) to file its brief.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney for the
Southern District of New York

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cc: Juan Ramirez (by Mail)